

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SHELTON BEAMAN,

Plaintiff,

-v-

No. 9:12-cv-1625
(DNH/ATB)

BRUCE YELICH,
Superintendent, Bare Hill Correctional Facility

Defendant.

APPEARANCES:

OF COUNSEL:

SHELTON BEAMAN
Plaintiff, pro se

HON. ERIC T. SCHNEIDERMAN
New York State Attorney General
Attorney for Defendants
The Capitol
Albany, NY12224

ADRIENNE J. KERWIN, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Shelton Beaman brought this action pursuant to 42 U.S.C. § 1983. On March 21, 2014, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised by Report-Recommendation that defendant's motion to dismiss pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute be granted. No objections to the Report-Recommendation were filed.

Based upon a careful review of the entire file and the recommendations of the

Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

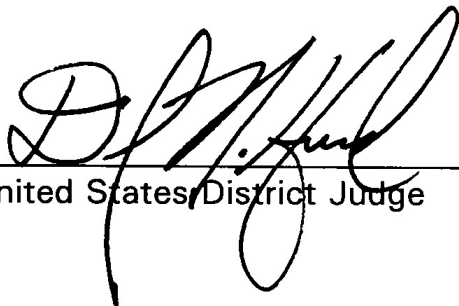
ORDERED that

1. Defendant's motion to dismiss pursuant to Fed. R. Civ. P. 41(b) is GRANTED;

and

2. Plaintiff's complaint is DISMISSED in its entirety.

The Clerk is directed to serve a copy of this Decision and Order upon plaintiff in accordance with the Local Rules and close the file.


United States District Judge

Dated: April 3, 2014
Utica, New York.